

DECLARATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or the below named inventors are the original, first and joint inventors (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **FILE SERVER SYSTEM PROVIDING DIRECT DATA SHARING BETWEEN CLIENTS WITH A SERVER ACTING AS AN ARBITER AND COORDINATOR**, the Specification of which:

- ☒ is attached hereto.
☐ was filed on _____ as Application Serial No. _____

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims.

I acknowledge the duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability of the subject matter claimed in this application, as "materiality" is defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent, United States provisional application(s), or inventor's certificate listed below and have also identified below any foreign application for patent, United States provisional application, or inventor's certificate having a filing date before that of the application on which priority is claimed:

PRIORITY APPLICATION(S)			Priority Claimed
None			
(Number)	(Country)	(Date Filed)	Yes/No

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose all information known to me to be material to patentability of the subject matter claimed in this application, as "materiality" is defined in Title 37, Code of Federal Regulations, § 1.56, which

become available between the filing date of the prior application and the national or PCT international filing date of this application:

None

(Application Serial No.) (Filing Date) (Status)

I hereby direct that all correspondence and telephone calls be addressed to Richard C. Auchterlonie, Reg. No. 30,607, Arnold, White & Durkee, P.O. Box 4433, Houston, Texas 77210, (713) 787-1400.

I HEREBY DECLARE THAT ALL STATEMENTS MADE OF MY OWN KNOWLEDGE ARE TRUE AND THAT ALL STATEMENTS MADE ON INFORMATION AND BELIEF ARE BELIEVED TO BE TRUE; AND FURTHER THAT THESE STATEMENTS WERE MADE WITH THE KNOWLEDGE THAT WILLFUL FALSE STATEMENTS AND THE LIKE SO MADE ARE PUNISHABLE BY FINE OR IMPRISONMENT, OR BOTH, UNDER SECTION 1001 OF TITLE 18 OF THE UNITED STATES CODE AND THAT SUCH WILLFUL FALSE STATEMENTS MAY JEOPARDIZE THE VALIDITY OF THE APPLICATION OR ANY PATENT ISSUED THEREON.

Inventor's Full Name:	Uresh	K.	Vahalia
Inventor's Signature:	<i>Uresh Vahalia</i>		
Country of Citizenship:	U.S.A.	Date:	2/23/99
Residence Address: (street, number, city, state, and/or country)	50 Roslyn Road Waban, MA 02168		
Post Office Address:	50 Roslyn Road Waban, MA 02168		

Inventor's Full Name:	Percy		Tzelnic
Inventor's Signature:	<i>Percy Tzelnic</i>		
Country of Citizenship:	U.S.A.	Date:	3/2/99
Residence Address: (street, number, city, state, and/or country)	156 Upland Road Concord, MA 01742		
Post Office Address:	156 Upland Road Concord, MA 01742		

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

U.S. SERIAL NO: To Be Assigned
(claiming priority to s/n 09/261,621 filed on
3/3/99)

FILING DATE: December 21, 2001

APPLICANT: Vahalia et al.

FOR: File Server System Providing Direct
Data Sharing Between Clients With A
Server Acting As An Arbitrator and
Coordinator

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GROUP ART UNIT: To Be Assigned

EXAMINER: To Be Assigned

ATTY. DKT. NO: EMC:-98-092 CON (1)

**ELECTION UNDER 37 C.F.R §§ 3.71 AND 3.73(b)
AND POWER OF ATTORNEY**

Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

The owner, EMC Corporation, of 100 percent interest in the above-identified application hereby elects to prosecute the above-identified application to the exclusion of the inventor(s) in accordance with 37 C.F.R. §§ 3.71 and 3.73(b).

Pursuant to 37 C.F.R. § 3.73(b), the undersigned has reviewed the evidentiary documents, specifically the attached copy of the Assignment by the inventor(s) to EMC Corporation having been recorded at Reel 9803 Frame 0548 in the parent application Serial No. 09/261,621 and certifies that to the best of my knowledge and belief, title of the above-identified application remains in the name of the Assignee, EMC Corporation.

The undersigned is empowered to act on behalf of EMC Corporation.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are

punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY

The Assignee EMC Corporation hereby revokes any previous Powers of Attorney and appoints:

John M. Gunther, Reg. No. 26,175

Leanne J. Fitzgerald, Reg. No. 40,606

William R. Clark, Reg. No. 29,532

Penelope S. Wilson, Reg. No. 29,751

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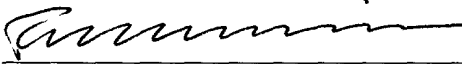
Robert Kevin Perkins, Reg. No. 36,634

Please direct all communications as follows:

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EMC Corporation

12/20/01
Date


Paul T. Dacier
Vice President and General Counsel
EMC Corporation